

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JORGE L. QUINTANA, SR.,  
*Plaintiff*

-vs-

RAYMOND RAMOS, MARIA C.  
RAMOS,  
*Defendants*

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SA-24-CV-00949-XR

**ORDER**

On this date, the Court considered United States Magistrate Judge Henry J. Bemporad's Report and Recommendation in this case. ECF No. 3. After careful consideration, the Court **ADOPTS** the Report and Recommendation.

**ANALYSIS**

**I. Legal Standard**

A party may serve and file objections to a report and recommendation within fourteen days. FED. R. CIV. P. 72(a), (b)(2). "Parties filing objections must specifically identify those findings objected to. Frivolous, conclusive [sic] or general objections need not be considered by the district court." *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996).

Courts must review *de novo* any of the Magistrate Judge's conclusions to which a party has specifically objected. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). Any sections that were not clearly objected to are reviewed for clear

error to determine whether they are contrary to law. *Id.*; see also *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989).

## **II. Analysis**

Plaintiff timely filed objections. ECF No. 6. Because Plaintiff timely objected to the Report and Recommendation, the Court reviews it *de novo*.

Having done so and for the reasons given in the Report and Recommendation, the Court **OVERRULES** Plaintiff's objections, and **ADOPTS** the Report and Recommendation as its own order. Any objections that are not discussed in the Report and Recommendation are frivolous and need not be addressed.

## **CONCLUSION**

For the foregoing reasons, it is **ORDERED** that the Report and Recommendation of United States Magistrate Judge Henry J. Bemporad (ECF No. 3) is **ADOPTED**.

It is **FURTHER ORDERED** that Plaintiff's IFP Application (ECF No. 1) is **DENIED**, and this case is **DISMISSED WITH PREJUDICE**. A final judgment pursuant to Rule 58 will follow.

It is so **ORDERED**.

**SIGNED** this 5th day of February, 2025.



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XAVIER RODRIGUEZ  
UNITED STATES DISTRICT